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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 MILESTONE CONDOMINIUM  
9 ASSOCIATION, a Washington nonprofit  
corporation,

10 Plaintiff,

11 v.

12 STATE FARM FIRE & CASUALTY  
13 COMPANY, an Illinois Company; and DOE  
INSURANCE COMPANIES 1-10,

14 Defendants.

Case No. C17-0832 RSM

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR A PROTECTIVE ORDER  
BARRING STATE FARM'S DEPOSITION  
OF KEITH SOLTNER**

15 This matter having come on for hearing before the Honorable Ricardo S. Martinez on  
16 Plaintiff's Motion for a Protective order Barring or Limiting the Scope of State Farm's Deposition  
17 of Keith Soltner (Dkt. #15), and the Court having considered:

- 18 (1) Plaintiff's Motion for a Protective Order Barring or Limiting the Scope of State Farm's  
19 Deposition of Keith Soltner;
- 20 (2) Declaration of Justin Sudweeks in Support of Plaintiff's Motion for a Protective Order  
21 Barring or Limiting the Scope of State Farm's Deposition of Keith Soltner;
- 22 (3) Declaration of Keith Soltner;
- 23 (4) State Farm's Response to Plaintiff's Motion for Protective Order;
- 24 (5) Declaration of Michael S. Rogers in Response to Motion for Protective Order and exhibits  
25 thereto;
- 26 (6) Plaintiff Milestone Condominium Association's Reply Re: Motion for a Protective Order  
Barring or Limiting the Scope of State Farm's Deposition of Keith Soltner; and

1 (7) Reply Declaration of Justin Sudweeks Re Motion for Protective Order Re Deposition of  
2 Keith Soltner;

3 IT IS SO ORDERED that: The Association's motion for a protective order (Dkt. #15) is  
4 GRANTED for the reasons set forth in Plaintiff's motion and reply briefs. The Association's  
5 former expert, Keith Soltner, is no longer retained as an expert witness and will not be testifying  
6 at trial. State Farm has not demonstrated exceptional circumstances to justify the deposition of  
7 Keith Soltner. Thus, pursuant to Fed. R. Civ. P. 26(b)(4)(D), State Farm is not entitled to take  
8 Mr. Soltner's deposition.

9 DATED THIS 17<sup>th</sup> day of May 2018.

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11 RICARDO S. MARTINEZ  
12 CHIEF UNITED STATES DISTRICT JUDGE  
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